

Remarks

Reconsideration of the application in view of the following remarks is respectfully requested.

Claims 1-7, 11-12, 22-24, 27-28 and 30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over WO 99/24638 to Riesop. Since WO 99/24638 did not publish in English, the Examiner relies on the corresponding national patent No. 6,537,387, hereinafter *Riesop*, for the disclosure of WO 99/24638.

The present invention is directed to a temporary anti-corrosive treatment of a metal surface that consists predominately of aluminum and/or zinc. The temporary primary passivating coating provides corrosive protection to the underlying metal surface until the primary passivating coating is removed from the metal surface prior to the subsequent step of conversion coating the metal surface. Thus, the conversion coating is in direct contact with the aluminum and/or zinc metal surface without the presence of the primary passivating coating layer.

Claim 1 specifically recites:

- a) placing the surface of the metal in contact with an anti-corrosive composition comprising 2.0 - 400 g/L phosphate ions, 0.5 - 400 g/L fluorometallate ions, and having a pH of between 1.0 - 4.0, for a time period of between 0.1 - 200 seconds;
- b) drying the anti-corrosive treatment composition on the metal surface to form a primary passivating coating on the metal surface;
- c) removing the primary passivating coating from the metal surface; and
- d) conversion coating the metal surface.

Riesop does not disclose, teach or suggest the present invention. As the Examiner correctly points out on page 4 of the Office Action, *Riesop* does not teach the claim step (c) of removing the primary passivating coating from the metal surface. Accordingly, to

the extent that the Patent Office has made a 35 U.S.C. § 103 rejection on the sole basis of *Riesop*, Applicants respectfully request that this rejection be withdrawn. (See paragraph 4 at page 2 of the Office Action.)

Further at page 4 of the Office Action, the Patent Office states that *Murphy* teaches applying an alkaline solution to remove or strip existing protective coating for metal surfaces. While not specifically making a rejection in which *Riesop* is combined with *Murphy*, Applicants believe that the Patent Office may be attempting to make such a rejection, and will address the merits of such rejection herein, to the extent that such a rejection has been made or is contemplated being made by the Patent Office.

Murphy (U.S. Patent No. 5,391,234) discloses an alkaline solution for the removal of protective coating from surfaces. However, *Murphy* is not combinable with *Riesop* and to do so would go against the teachings of *Riesop*. As set forth above, *Riesop* does not teach removing a primary passivating coating. Instead, the coating of *Riesop* remains on the metal surface even after they are further coated with an additional anti-corrosive layer. Accordingly, Applicants respectfully submit that any potential rejection based on a combination of *Riesop* and *Murphy* would be improper.

Accordingly, claim 1 is patentable in view of the prior art.

Claims 2-9 and 11-12 all depend either directly or indirectly from claim 1 and are therefore patentable for at least the same reasons as claim 1. Moreover, these claims add further limitations which render them separately allowable.

Claim 22 recites a method for the temporary anti-corrosive treatment of metal surfaces that consist predominately of aluminum and/or zinc comprising:

a) placing the surface of the metal in contact with an anti-corrosive composition comprising 2.0-400 g/L phosphate ions, 0.5-400 g/L fluorometallate ions selected from the

group consisting of TiF_6^{-2} , ZrF_6^{-2} , HfF_6^{-2} , SiF_6^{-2} , AlF_6^{-3} , GeF_6^{-2} , SnF_6^{-2} , and BF_4^- , and having a pH of between 1.0-4.0, for a time period of between 0.1-200 seconds;

b) drying the anti-corrosive treatment composition on the metal surface to form a primary passivating coating on the metal surface;

c) removing the primary passivating coating from the metal surface; and

d) conversion coating the metal surface.

Claim 22 contains similar limitations as claim 1 and is therefore patentable for at least the same reasons as claim 1. Moreover, claim 22 adds further limitations that renders it separately allowable.

Accordingly, Applicants respectfully request the withdrawal of the 35 U.S.C. § 103 rejection of claim 22.

Claims 23-26 all depend either directly or indirectly from claim 22 and are therefore allowable for at least the same reasons as claim 22. Moreover, these claims add further features which render them separately allowable.

Claim 27 recites a method for the temporary anti-corrosive treatment of metal surfaces that consists predominately of aluminum and/or zinc comprising:

a) placing the surface of the metal in contact with an anti-corrosive composition comprising 2.0-400 g/L phosphate ions, 6.0-400 g/L fluorometallate ions, and having a pH of between 1.0-4.0 for a predetermined period of time;

b) drying the anti-corrosive treatment composition on the metal surface to form a primary passivating coating on the metal surface;

c) removing the primary passivating coating from the metal surface; and

d) conversion coating the metal surface, after the primary passivating coating has been removed from the metal surface.

Claim 27 contains similar limitations to claim 1 and is therefore allowable for at least the same reasons as claim 1. Moreover, claim 27 adds further limitations that renders it separately allowable.

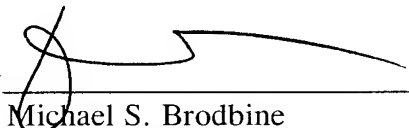
Claims 28-30 all depend either directly or indirectly from claim 27 and are therefore allowable for at least the same reasons as claim 27. Moreover, these claims add further features and limitations which render them separately allowable.

Paragraphs 5 and 6 of the Office Action are directed to 35 U.S.C. § 103 rejections of dependent claims 8-9, 25-26 and 29. As set forth above, these claims are patentable for the same reasons as the independent claims they depend from. Furthermore, each of the rejections in paragraphs 5 and 6 are based upon the base combination of *Riesop* in view of *Murphy* which has already been addressed. Accordingly, Applicant respectfully requests that these rejections also be withdrawn.

Applicants have made a genuine effort to respond to each of the Examiner's rejections in advancing the prosecution of this case. Applicants believe that all formal and substantive requirements for patentability have been met and that this case is in condition for allowance, which action is respectfully requested. If any additional issues need to be resolved, the Examiner is invited to contact the undersigned at his earliest convenience.

Please charge any additional fees or credit any overpayments as a result of the filing of this paper to our Deposit Account No. 02-3978.

Respectfully submitted,
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